

REMARKS

This Amendment is being filed in response to the Final Office Action mailed December 27, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, claims 13-15 and 18-27 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,215,609 (Yamashita). Claims 11-12 and 28-29 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yamashita. It is respectfully submitted that claims 11-15, 18, 20-22, 24-26 and 28-29 are patentable over Yamashita for at least the following reasons.

Yamashita is directed to a recording/reproduction apparatus where a low-power consumption operating mode is entered if a battery charge is below a certain level, as shown in steps S7 and S8 of FIG 7. Further, as shown in step S9 of FIG 7, the operating mode may be manually set by a user manipulating a mechanical

switch, which implies that the mechanical switch is not internal to the Yamashita recording/reproduction apparatus.

In stark contrast, the present invention as recited in independent claim 20, and similarly recited in independent claim 24 which, amongst other patentable elements, requires (illustrative emphasis provided):

wherein the mode switch is external to the optical recording apparatus and internal in the portable device for being switched by an application running on the optical recording apparatus.

It is respectfully submitted that Yamashita does not teach or suggest any mode switch which is external to the optical recording apparatus and internal in a portable device. Yamashita provides no details related to any mode switch except to indicate that a mechanical switch is provided for user input. Thus, such a mechanical switch is not internal in the Yamashita apparatus. Assuming, arguendo, that Yamashita also suggests a portable device that includes a recording/reproduction apparatus where a mode switch is internal any such portable device, there is still no teaching or suggestion that such a mode switch is both internal to

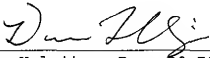
any portable device and external to an optical recording apparatus, as recited in independent claims 20 and 24.

Accordingly, it is respectfully submitted that independent claims 20 and 24 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 11-15, 18, 21-22, 23-26 and 28-29 should also be allowed at least based on their dependence from independent claims 20 and 24.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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